

In the Claims:

Applicants respectfully request that the claims of this application be amended so as to read as follows thereby placing the same in condition for allowance, or at least in better form for Appeal, pursuant to 37 CFR 1.116:

1. (Currently Amended) An optical data recording medium, in which irradiation of a light beam is used for reproducing recorded data, comprising:
 - a substrate having pits disposed on a light-incident surface thereof, corresponding to the recorded data, which are shorter than a resolution limit of an optical system of a reproducing apparatus ~~compatible with the optical data~~ which reproduces the optical data recording medium; and
 - a reproducing layer for ~~reproducing a signal~~ improving the resolution of optical signals from the said pits and passing said improved resolution optical signals from said pits to said optical system of said reproducing apparatus in a form reproducible by said reproducing apparatus, the reproducing layer being provided ~~to face a so~~ as to face said light-incident surface of the said substrate.
2. Cancel without prejudice.
3. (Previously Presented) The optical data recording medium as set forth in Claim 1, wherein:
 - the reproducing layer is made of a material whose transmittance changes in accordance with temperature.

4. (Previously Presented) The optical data recording medium as set forth in Claim 1 wherein:
at least a part of a light-incident surface of the reproducing layer is exposed to air.

5. (Currently Amended) The optical data recording medium as set forth in Claim 1 further
comprising:

a light absorption layer for converting ~~the~~ an incident light beam directed toward said
light-incident surface of said substrate to heat, the light absorption layer being
contiguous to the reproducing layer.

6. (Currently Amended) The optical data recording medium as set forth in Claim 1 further
comprising:

a reflective layer for reflecting ~~the~~ an incident light beam directed toward said light
incident side of said substrate, the reflective layer being provided between the
said light-incident side of said substrate and ~~the~~ said reproducing layer.

7. (Original) The optical data recording medium as set forth in Claim 1 wherein:
the reproducing layer is made of a metal oxide.

8. (Original) The optical data recording medium as set forth in Claim 7, wherein:
the reproducing layer is made of a zinc oxide.

9. (Original) The optical data recording medium as set forth in Claim 5, wherein:
the light absorption layer is made of one of silicon, germanium and an alloy of silicon and germanium.
10. (Currently Amended) An optical data recording medium, in which irradiation of a light beam is used for reproducing recorded data, comprising:
a substrate having a light-incident surface containing pits, corresponding to the recorded data, which are shorter than a resolution limit of an optical system of a ~~reproducing apparatus compatible with~~ which reproduces the optical recording medium;
a reproducing layer, stacked on a the light-incident surface of the substrate ~~on~~ in which the pits are provided, the reproducing layer having a changeable transmittance with respect to ~~the~~ an irradiated light beam irradiated on the reproducing layer and directed toward said light-incident surface of said substrate, the changeable transmittance being changeable in accordance with an intensity distribution of the light beam irradiated on the reproducing layer; and
a reflective surface, provided between the substrate and the reproducing layer, for reflecting a light beam that has ~~having~~ passed through the reproducing layer.
11. (Original) The optical data recording medium as set forth in Claim 10, further comprising:
a reflective layer provided between the substrate and the reproducing layer, and including the reflective surface.
12. (Original) The optical data recording medium as set forth in Claim 10, further comprising:
a light absorption layer, provided between the substrate and the reproducing layer, for converting, to heat, the light beam irradiated thereon.

13. (Original) The optical data recording medium as set forth in Claim 10, wherein:
at least a part of that surface of the reproducing layer which is a reverse surface to the
surface facing the substrate is exposed to air.

14. Canceled without prejudice.

15. Canceled without prejudice.

16. Canceled without prejudice.

17 (Currently Amended) A reproducing method of an optical data recording medium in which irradiation of a light beam is used for reproducing data recorded in the optical data recording medium,

said optical data recording medium including:

a substrate having a light-incident surface containing pits, corresponding to recorded data, which are shorter than a resolution limit of an optical system of a reproducing apparatus which reproduces the optical data recording medium; and
a reproducing layer for improving the resolution of optical signals from said pits and passing said improved resolution optical signals to said optical system of said reproducing apparatus in a form reproducible by said reproducing apparatus,
~~reproducing a signal from the pits,~~ the reproducing layer being provided so as to face a said -light-incident surface of the substrate,

said reproducing method comprising the step of:

irradiating the light beam from above the reproducing layer to the light-incident side of said substrate so as to reproduce the pits.

18. (Currently Amended) A reproducing method of an optical data recording medium in which irradiation of a light beam is used for reproducing data recorded in the optical data recording medium,

said optical data recording medium including:

a substrate ~~having~~ containing pits in a light-incident side thereof, corresponding to the recorded data, which are shorter than a resolution limit of an optical system of a reproducing apparatus which reproduces the optical data recording medium;

a reproducing layer stacked on a the light-incident surface of the substrate ~~on~~ in which the pits are provided, the reproducing layer having a changeable transmittance with respect to ~~the~~ an irradiated light beam irradiated on the reproducing layer and directed toward said light-incident side of said substrate, the changeable transmittance being changeable in accordance with an intensity distribution of the light beam irradiated on the reproducing layer; and

a reflective surface, provided between the substrate and the reproducing layer for reflecting a light beam ~~having~~ that has passed through the reproducing layer,

said reproducing method comprising the step of:

reproducing said recorded data by irradiating a light beam ~~on~~ onto said optical data recording medium from above the reproducing layer.